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APR 24 2001
ELECTION
Examining Group 1615
Patent Application
Docket No. UTR-104
Serial No. 09/654,357
TECH CENTER 1600
4/29/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Helen Nguyen
Art Unit : 1615
Applicants : Michael B. Zemel, Hang Shi, Paula C. Zemel
Serial No. : 09/654,357
Filed : September 1, 2000
For : Materials and Methods for the Treatment or Prevention of Obesity

Assistant Commissioner for Patents
Washington, D.C. 20231

ELECTION

Sir:

In response to the written restriction requirement dated March 14, 2001, in the above-identified patent application, Applicants hereby elect to prosecute the invention of Group I, claims 1-17 and 21-34 (drawn to methods of using).

In response to the election of species requirement, Applicants elect methodology A, methods of treatment using calcium (claims 1-10); wherein the metabolic change is the stimulation of lipolysis; and wherein the metabolic change is stimulated by foodstuffs supplemented with calcium. The claims reading upon the elected species are 1-2, 4-5, and 7-10.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Applicants also invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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